

TO: Clerk's Office

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK



APPLICATION FOR LEAVE  
TO FILE DOCUMENT UNDER SEAL

\*\*\*\*\*

UNITED STATES OF AMERICA

-v.-

21-MJ-597

CRAIG GERNETT

Docket Number

\*\*\*\*\*

SUBMITTED BY: Plaintiff Defendant DOJ ☒

Name: Lindsey R. Oken

Firm Name:USAO-EDNY

Address: 271 Cadman Plaza East

Brooklyn, New York 11201

Phone Number: (718) 254-6516

E-Mail Address:Lindsey.Oken@usdoj.gov

INDICATE UPON THE PUBLIC DOCKET SHEET: YES NO

If yes, state description of document to be entered on docket sheet:

A) If pursuant to a prior Court Order:

Docket Number of Case in Which Entered: \_\_\_\_\_

Judge/Magistrate Judge: \_\_\_\_\_

Date Entered: \_\_\_\_\_

B) If a new application, the statute, regulation, or other legal basis that authorizes filing under seal

Ongoing criminal investigation

ORDERED SEALED AND PLACED IN THE CLERK'S OFFICE,  
AND MAY NOT BE UNSEALED UNLESS ORDERED BY  
THE COURT.

DATED: Brooklyn, NEW YORK  
May 14, 2021

*Cheryl L. Pottak*  
U.S. MAGISTRATE JUDGE

RECEIVED IN CLERK'S OFFICE May 14, 2021  
DATE

MANDATORY CERTIFICATION OF SERVICE:

A.) A copy of this application either has been or will be promptly served upon all parties to this action, B.) Service is excused by 31 U.S.C. 3730(b), or by the following other statute or regulation: \_\_\_\_\_; or C.) ☒ This is a criminal document submitted, and flight public safety, or security are significant concerns.  
(Check one)

May 14, 2021

DATE

*Lindsey Oken*  
SIGNATURE

AB:LRO

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

- against -

CRAIG GERNETT,

Defendant.

-----X

**FILED UNDER SEAL**

AFFIDAVIT AND COMPLAINT  
IN SUPPORT OF AN ARREST  
WARRANT

(18 U.S.C. § 2113(a))

Case No. 21-MJ-597

EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL GILDEA, being duly sworn, deposes and states that he is a Detective with the New York City Police Department and a Task Force Officer with the FBI/NYPD Violent Crimes & Bank Robbery Squad, duly appointed according to law and acting as such.

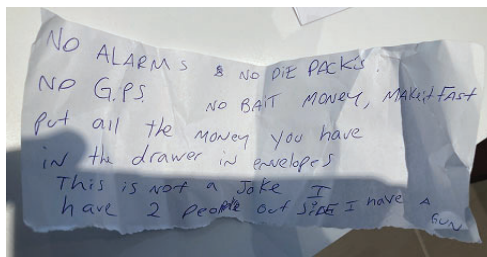
On or about May 6, 2021 and May 11, 2021, within the Eastern District of New York, the defendant CRAIG GERNETT did knowingly and intentionally take and attempt to take by force, violence and intimidation, from the person and presence of another, money belonging to and in the care, custody, control, management and possession of a bank or other financial institution, to wit: Citibank, the deposits of which are insured by the Federal Deposit Insurance Corporation, and Chase Bank, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(Title 18, United States Code, Section 2113(a))

The source of your deponent's information and the grounds for his belief are as follows:<sup>1</sup>

1. I am a Detective with the New York City Police Department and a Task Force Officer with the Federal Bureau of Investigation and have been involved in the investigation of numerous bank robberies. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of law enforcement officers involved in the investigation.

2. On or about May 6, 2021, at approximately 12:04 p.m., the defendant CRAIG GERNETT entered the branch of Citibank located at 5 Court Square, Queens, New York ("Bank-1") and proceeded to a teller. The defendant wore a dark colored baseball hat, a hooded sweatshirt, and a surgical mask that obstructed the lower portion of his face. The defendant had visible tattoos on both hands as well as a visible tattoo on the side of his neck. He passed a demand note (the "Demand Note") to the teller, which stated, "NO ALARMS NO DIE (sic) PACKS NO G.P.S. NO BAIT MONEY, MAKE IT FAST PUT ALL THE MONEY YOU HAVE IN THE DRAWER IN ENVELOPES THIS IS NOT A JOKE I HAVE 2 PEOPLE OUT SIDE I HAVE A GUN." The Demand Note is pictured below:




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<sup>1</sup> Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

3. The teller handed the defendant approximately \$1,115 in United States currency. The defendant took the money and fled Bank-1.

4. Members of the New York City Police Department (“NYPD”) responded to the scene and recovered the Demand Note and surveillance video of the robbery. In addition, near Bank-1, NYPD officers recovered a dark colored baseball hat consistent with the hat worn by the defendant. The hat was sent to the New York City Office of the Chief Medical Examiner for DNA testing.

5. On or about May 11, 2021, at approximately 3:06 p.m., the defendant CRAIG GERNETT entered the branch of Chase Bank located at 2416 Queens Plaza South, Queens, New York (“Bank-2”) and proceeded to a teller. The defendant wore a grey t-shirt with blue sleeves, a chain necklace, and a surgical mask that was at times pulled down beneath his face. The defendant had visible tattoos on both hands as well as a visible tattoo on the side of his neck. He displayed a demand note to a teller through a barrier. The teller asked, in sum and substance, “what is that?” The defendant responded, in sum and substance, “ARE YOU KIDDING ME, THIS IS A ROBBERY!” The defendant further stated, in sum and substance, “I WILL KILL EVERYONE IN HERE, PULL FROM THE SECOND DRAWER.” The teller handed the defendant approximately \$759 in United States currency. The defendant took the money and fled Bank-2.

6. Members of the NYPD responded to the scene and recovered surveillance video of the robbery.

7. I have reviewed surveillance video from both robberies, and the physical appearance of the perpetrator depicted in each surveillance video is consistent with the age, race, and appearance – including distinct neck and hand tattoos – that law enforcement has on

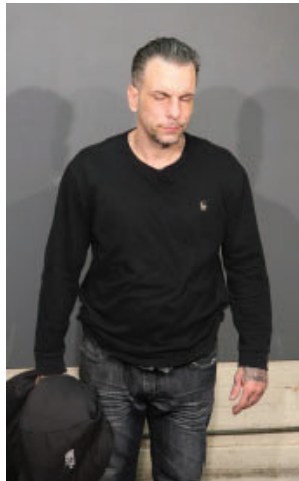
file for the defendant from an arrest on January 26, 2021 for an attempted robbery in Kings County, under docket number CR-002551-21KN:



**May 6, 2021**



**May 11, 2021**



**January 26, 2021**

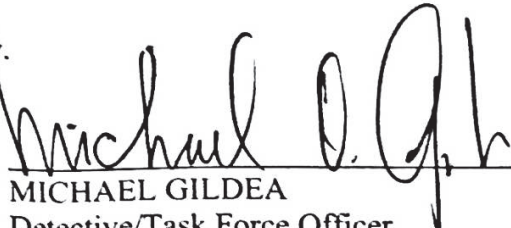


8. I have confirmed that the deposits of Citibank and Chase Bank are insured by the Federal Deposit Insurance Corporation.

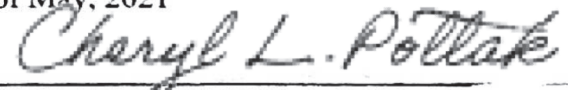
9. I further request that the Court issue an order sealing, until further order of the Court, all papers submitted in support of this application, including the affidavit and arrest warrant. Based upon my training and experience, I have learned that criminals actively

search for criminal affidavits and arrest warrants via the internet. Therefore, premature disclosure of the contents of this affidavit and related documents will seriously jeopardize the investigation, including by giving the target an opportunity to flee, destroy or tamper with evidence and change patterns of behavior.

WHEREFORE, your deponent respectfully requests that the defendant CRAIG GERNETT, be dealt with according to law.

  
MICHAEL GILDEA  
Detective/Task Force Officer  
New York City Police Department

Sworn to before me this  
14 day of May, 2021

  
THE HONORABLE CHERYL L. POLLAK  
CHIEF UNITED STATES MAGISTRATE JUDGE  
EASTERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

United States of America

v.

CRAIG GERNETT

Case No. 21-MJ-597

Defendant

ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay  
(name of person to be arrested) Craig Gernett,  
who is accused of an offense or violation based on the following document filed with the court:

☐ Indictment ☐ Superseding Indictment ☐ Information ☐ Superseding Information ☒ Complaint  
☐ Probation Violation Petition ☐ Supervised Release Violation Petition ☐ Violation Notice ☐ Order of the Court

This offense is briefly described as follows:

Title 18, United States Code, Section 2113(a) (bank robbery)

Date: 05/14/2021

*Cheryl L. Pollak*  
Issuing officer's signature

City and state: Brooklyn, New York

Honorable Cheryl L. Pollak, USMJ  
Printed name and title

Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title



**This second page contains personal identifiers provided for law-enforcement use only  
and therefore should not be filed in court with the executed warrant unless under seal.**

*(Not for Public Disclosure)*

Name of defendant/offender: \_\_\_\_\_

Known aliases: \_\_\_\_\_

Last known residence: \_\_\_\_\_

Prior addresses to which defendant/offender may still have ties: \_\_\_\_\_

Last known employment: \_\_\_\_\_

Last known telephone numbers: \_\_\_\_\_

Place of birth: \_\_\_\_\_

Date of birth: \_\_\_\_\_

Social Security number: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_

Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_

Scars, tattoos, other distinguishing marks: \_\_\_\_\_

History of violence, weapons, drug use: \_\_\_\_\_

Known family, friends, and other associates *(name, relation, address, phone number)*: \_\_\_\_\_

FBI number: \_\_\_\_\_

Complete description of auto: \_\_\_\_\_

Investigative agency and address: \_\_\_\_\_

Name and telephone numbers (office and cell) of pretrial services or probation officer *(if applicable)*: \_\_\_\_\_

Date of last contact with pretrial services or probation officer *(if applicable)*: \_\_\_\_\_